

City of Boca Raton

FINAL



Incorporated 1925

ORDINANCE

5420

1
2 AN ORDINANCE OF THE CITY OF BOCA RATON
3 AMENDING CHAPTER 28 "ZONING," CODE OF
4 ORDINANCES, RELATING TO OFF-STREET PARKING
5 PROVISIONS FOR ELECTRIC VEHICLES; AMENDING
6 SECTION 28-1646 TO PROVIDE FOR DEFINITIONS
7 RELATED TO ELECTRIC VEHICLES; AMENDING
8 SECTIONS 28-1649, 28-1650, 28-1653, AND 28-1655 TO
9 PROVIDE FOR ELECTRIC VEHICLE OFF-STREET
10 PARKING PROVISIONS FOR MULTIFAMILY
11 RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL
12 USES; PROVIDING FOR SEVERABILITY; PROVIDING
13 FOR REPEALER; PROVIDING FOR CODIFICATION;
14 PROVIDING AN EFFECTIVE DATE (AM-17-03/17-
15 92500009)

16
17 WHEREAS, the City's Code of Ordinances does not currently contain provisions for off-
18 street parking facility provisions for electric vehicles; and
19

1 WHEREAS, according to the U.S. Department of Energy, electric vehicles produce
2 lower tailpipe emissions than conventional vehicles thereby reducing air pollution and greenhouse
3 gases; and

4 WHEREAS, Policy CON.6.1.2 of the Conservation Element of the Comprehensive Plan
5 states that the City shall incorporate greenhouse gas reduction strategies and energy
6 conservation into the land development regulations; and

7 WHEREAS, Policy LU.4.1.10, Policy TRAN.1.2.4, Goal TRAN.5.0.0, and Policy
8 CON.6.1.1. of the Comprehensive Plan all promote the reduction of greenhouse gas emissions;
9 and

10 WHEREAS, new standards relating to electric vehicle parking and electric vehicle
11 parking space design for multifamily residential, commercial, and industrial uses will support
12 electric vehicle use; and

13 WHEREAS, the Development Services Department has recommended amending the
14 Code of Ordinances to incorporate new standards relating to electric vehicle parking and electric
15 vehicle parking space design for multifamily residential, commercial, and industrial uses; and

16 WHEREAS, the Planning and Zoning Board, after notice and public hearing, has
17 considered the proposed amendments to the Code of Ordinances, more specifically described
18 herein, and submitted its recommendation to the City Council; and

19 WHEREAS, the City Council, after notice and public hearing, has considered the
20 proposed amendments to the Code of Ordinances, the recommendations of the Planning and
21 Zoning Board and all public comments; and

22 WHEREAS, the proposed amendment to the Code of Ordinances is consistent with the
23 City of Boca Raton Comprehensive Plan; and

24 WHEREAS, the City Council desires to amend the Code of Ordinances in order to
25 incorporate the above amendments pertaining to off-street parking provisions for electric vehicles
26 into the City Code of Ordinances; now therefore

1 THE CITY OF BOCA RATON HEREBY ORDAINS:

2
3 Section 1. Section 28-1646, Code of Ordinances, (relating to Off-street parking
4 provisions) is hereby amended to read:

5 Section 28-1646. – Definitions.

6 * * *

7
8 “Electric vehicle” shall mean any motor vehicle registered to operate on public roadways
9 that operates either partially or exclusively on electric energy. Electric vehicles include:

10 (a) Battery-powered electric vehicles;

11 (b) Plug-in hybrid electric vehicles;

12 (c) Electric motorcycles; and

13 (d) Fuel cell vehicles.

14 “Electric vehicle charging level” shall mean the standardized indicator of electrical force,
15 or voltage, at which the battery of an electric vehicle is recharged, as follows:

16 (a) AC Level 1 transfers 120 volts (1.4-1.9 kW) of electricity to an electric vehicle battery.

17 (b) AC Level 2 transfers 240 volts (up to 19.2 kW) of electricity to an electric vehicle
18 battery.

19 (c) DC Fast Charging Levels 1 and 2 transfer a high voltage (typically 400-500 volts or
20 32-100 kW, depending on the electrical current) of direct current of electricity to an electric vehicle
21 battery.

22 “Electric vehicle parking space” shall mean an off-street parking space that is equipped
23 with an electric vehicle charging station.

24 “Electric vehicle charging station” shall mean battery charging equipment that has as its
25 primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or
26 other energy storage device in an electric vehicle.

27 * * *

1 Section 2. Section 28-1649, Code of Ordinances (relating to Off-street parking
2 provisions), is hereby amended to read:

3 Sec. 28-1649. - Expansion of existing structures.

4 Where a structure is enlarged in floor area or capacity, off-street parking facilities as specified in
5 this article shall be provided for the newly added floor area or capacity of the structure. Where a
6 building that includes multifamily residential, commercial or industrial uses, or any combination
7 thereof, is enlarged in floor area, capacity and/or number of residential units resulting in 1) an
8 increase in the number of motor vehicle parking spaces for the entire site; and, 2) a requirement
9 for 50 or more motor vehicle parking spaces for the entire site, after expansion, off-street parking
10 facilities for electric vehicles shall be provided as specified in this article.

11 Section 3. Section 28-1650, Code of Ordinances (relating to Off-street parking
12 provisions), is hereby amended to read:

13 Sec. 28-1650. - Change of use.

14 (1) When the use of a portion or all of a structure or land is changed, additional off-
15 street parking facilities shall be provided to the extent that the off-street parking required for the
16 new use exceeds the off-street parking for the previous use.

17 (2) In addition to the above, if an existing site is determined inadequate by the city
18 based upon a lack of off-street parking facilities, no change or expansion of the use of the site or
19 a structure on the site will be permitted if the effect of the change will be to render the site more
20 inadequate than its current use.

21 (3) When the use of a portion or all of a structure or land is changed to a multifamily
22 residential, commercial or industrial use, or any combination thereof, and the entire site is required
23 to provide 50 or more motor vehicle parking spaces, off-street parking facilities for electric vehicles
24 shall be provided as specified in this article.

25 Section 4. Section 28-1653, Code of Ordinances, (relating to Off-street parking
26 provisions) is hereby amended to read:

1
2 Sec. 28-1653. - Design

3 * * *

4 (15) Electric vehicle parking. Electric vehicle parking spaces and electric vehicle
5 charging stations required pursuant to Section 28-1655 shall meet the following design standards,
6 in addition to all other design standards set forth in this article:

7 (a) Electric vehicle parking spaces shall be painted green, or shall be marked by green
8 painted lines or curbs.

9 (b) Each electric vehicle parking space shall be marked by a sign designating the
10 parking space as an electric vehicle parking space, in accordance with the Manual on Uniform
11 Traffic Control Devices (MUTCD) of the Federal Highway Administration.

12 (c) Each electric vehicle charging station shall be equipped with a sign that includes
13 the following information:

14
15 (i) Voltage and amperage levels;

16 (ii) Any applicable usage fees;

17 (iii) Safety information; and

18 (iv) Contact information for the owner of the charging station, to allow a
19 consumer to report issues relating to the charging station.

20 (d) Electric vehicle charging stations shall contain a retraction device, coiled cord, or a
21 fixture to hang cords and connectors above the ground surface.

22 (e) Electric vehicle charging stations shall be screened from view from any abutting
23 right of way, with the exception of alleys.

24 (f) Electric vehicle charging stations shall be maintained in good condition, appearance,
25 and repair.

1 Section 5. Section 28-1655, Code of Ordinances (relating to Off-street parking
2 provisions), is hereby amended to read:

3 * * *

4 Sec. 28-1655. - Required off-street parking.

5 * * *

6 (2) Electric vehicle parking spaces: All sites in which multifamily residential,
7 commercial, or industrial uses, or any combination thereof, are required to provide 50 or more
8 motor vehicle parking spaces, as specified in Section 28-1655(1), shall provide a minimum of 2
9 percent of the required off-street parking spaces to be electric vehicle parking spaces (such
10 spaces shall be counted toward meeting the overall parking requirement) in accordance with the
11 following standards:

12 (a) Electric vehicle parking spaces shall, at a minimum, be equipped with an electric
13 vehicle charging station rated at electric vehicle charging level 2.

14 (b) Electric vehicle parking spaces shall be reserved for the exclusive use of electric
15 vehicles.

16 (c) For multifamily residential uses, electric vehicle charging stations shall be limited to
17 use by building residents and their invited guests; developments with 50 or more units shall have
18 installed, and shall provide access to, electrical power supply rated at 240 volts or greater in all
19 off-street parking facilities to allow for the installation of additional electric vehicle parking spaces
20 in the future for the exclusive use of residents, guests, invitees, and employees.

21 (d) Hotels, apartment hotels and motels with 50 or more rooms shall install and provide
22 access to an electrical power supply rated at 240 volts or greater in all off-street parking facilities
23 to allow for the installation of additional electric vehicle parking spaces in the future for the
24 exclusive use of guests, invitees, and employees.

25 (e) Nothing herein shall prohibit the charging of a fee for the use of an electric vehicle
26 charging station by a resident, guest, invitee or employee.

1 (3) Where the installation of one or more electric vehicle parking spaces, and/or the
 2 installation of electric power supply in off-street parking facilities to allow for the future installation
 3 of electric vehicle parking spaces, are required by this article, an exception may be granted
 4 through the site plan approval process only where it is demonstrated that the extension of
 5 electrical power supply to the effected location is physically impractical. Financial impracticality is
 6 not a valid criterion for granting such an exception.

7 Section 6. If any section, subsection, clause or provision of this ordinance is held
 8 invalid, the remainder shall not be affected by such invalidity.

9 Section 7. All ordinances and resolutions or parts of ordinances and resolutions and
 10 all sections and parts of sections in conflict herewith shall be and hereby are repealed.

11 Section 8. Codification of this ordinance in the City Code of Ordinances is hereby
 12 authorized and directed.

13 Section 9. This ordinance shall take effect immediately upon adoption.

14
 15 PASSED AND ADOPTED by the City Council of the City of Boca Raton this 12th
 16 day of December, 2017.

17 CITY OF BOCA RATON, FLORIDA

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 19 ATTEST:

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 22 Susan S. Saxton
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 24 Susan S. Saxton, City Clerk

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Susan Haynie
 Susan Haynie, Mayor

36 Approved as to form:

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Joshua P. Koehler
 for Diana Grub Frieser, City Attorney

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| COUNCIL VOTE | | | |
|---------------------------------------|-----|----|-----------|
| | YES | NO | ABSTAINED |
| MAYOR SUSAN HAYNIE | ✓ | | |
| DEPUTY MAYOR JEREMY RODGERS | | ✓ | |
| COUNCIL MEMBER ANDREA LEVINE O'ROURKE | ✓ | | |
| COUNCIL MEMBER SCOTT SINGER | ✓ | | |
| COUNCIL MEMBER ROBERT S. WEINROTH | ✓ | | |

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